

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	George E. Wright	Art Unit :	1623
Serial No. :	10/767,019	Examiner :	Roy P. Issac
Filed :	January 29, 2004	Confirmation No.:	4717
		Notice of Allowance Date:	
Title :	NOVEL ANTIHERPES DRUG COMBINATIONS		

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE AND

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

In response to the Notice of Allowance dated January 4, 2010, enclosed is a completed issue fee transmittal form PTOL 85b. The fees in the amount of \$1055 for the issue fee (\$755) and the publication fee (\$300) are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 07917-0183001.

Applicant submits herewith an Amendment After Allowance Under 37 C.F.R. § 1.312, because of the need to correct an error in the Examiner's Amendment noted in the Notice of Allowability. In particular, applicant proposes to add new claim 51 to correct a cancellation (rather than amendment) of claim 13, and to add a new claim 52 to depend from kit claim 32.

Furthermore, applicant recognizes that in accordance with M.P.E.P. § 1302.14, the Examiner's reasons for allowance need not set forth all of the details as to why the claims are allowed. In the above-referenced application, applicant does not concede that the Examiner's stated reasons for allowance are the only reasons for which the claims are allowable. In particular, applicant does not concede that all of the identified limitations in independent claims 1, 32, 43, and 45 are necessary to distinguish the prior art of record or to satisfy the requirements of 35 U.S.C. § 112. Furthermore, the claims may be patentable for other reasons. In addition, dependent claims 10, 11, 14-19, 36-40, 43, 44, 46, 51, and 52 are allowable on their own merits, and are allowable on the basis of a sub-combination of the recited features of the dependent claims and their respective base claims.

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Respectfully submitted,

Date: _____

April 5, 2010

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